

id: 195277
date: 3/4/2009 21:56
refid: 09MONTERREY102
origin: Consulate Monterrey
classification: SECRET//NOFORN
destination:
header:
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RUEHNL/AMCONSUL NUEVO LAREDO 0222
RUEHTM/DTS TIJUANA
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S E C R E T SECTION 01 OF 05 MONTERREY 000102

C O R R E C T E D C O P Y - Classification

NOFORN
SIPDIS

E.O. 12958: DECL: 3/4/2019
TAGS: SNAR, KCRM, ASEC, CASC, PGOV, MX
SUBJECT: NUEVO LEON'S EFFORTS TO REFORM STATE AND LOCAL POLICE HAVE
NOT BEEN EFFECTIVE

MONTERREY 00000102 001.4 OF 005

CLASSIFIED BY: Bruce Williamson, Consul General, Monterrey,
State.

REASON: 1.4 (b), (d)

1. (C) Summary. The state of Nuevo Leon has instituted many changes to clean up its state and municipal police forces, including annual lie detector tests, the creation of an integrated municipal police force called Metropol, and the construction of a high technology C-4 CCTV monitoring center. The state, and one municipal, police force are also utilizing the Plataforma Mexico system to share information, and these entities are eager to obtain assistance from the Merida Initiative. Despite these actions, results in terms of reducing common crime are mixed. Civil society and security experts have not seen any real improvement in the quality and reliability of state and municipal police, and the Nuevo Leon Secretary of Public Security has no confidence in the municipal police forces. Meanwhile, neither the state nor the local police forces dare to interfere with the drug cartels. End Summary.

State and Local Police Infiltrated by Drug Cartels

2. (C) The state of Nuevo Leon's lucrative drug trafficking routes are controlled by the Gulf/Zeta cartel, except for the wealthy suburb of San Pedro (where the Consulate families reside) which is under the Beltran Leyva branch of the Sinaloa Cartel. There is no doubt that the Nuevo Leon state and local police have been substantially compromised by the Gulf/Zetas. The GOM's National Center for Evaluation and Control of Confidence tested police nationwide with medical, psychological, toxicology, and polygraph examinations and measured their wealth. The Center found that it could not provide a positive recommendation for 60.4 of Nuevo Leon's federal, state and municipal police, right in line with the national average of 61.4%. Similarly, Nuevo Leon Secretary for Public Security Aldo Fasci estimated that 50% of the state and city police forces were infiltrated by drug cartels.

3. (S/NF) In the past, post law enforcement representatives were able to provide informational assistance to the state police on several successful state police operations against organized crime. However, this stopped with the 2006 assassination of Marcelo Garza y Garza, the head of the state investigative unit. Post officials see Garza's replacement as a figure who has been compromised by the Gulf/Zeta cartel. Note. Post law enforcement officials have a good working relationship with state police on non-drug matters, such as pursuing fugitives or protecting the Consulate. End Note. Moreover, although there have been over 200 executions in the last three years, including over 40 police and soldiers, none of these cases has been solved. One knowledgeable contact states that Nuevo Leon Secretary Fasci is isolated within his own office, since his lieutenants in reality report to his corrupted underlings.

4. (SBU) According to statistics from the state attorney general's office, crime rates were generally stable in 2008, although economic crimes are now trending upward. The total number of premeditated homicides declined 7% from 2007 to 2008, partially reflecting the relative peace between the drug cartels. The drug cartels actively contested Nuevo Leon until

mid-year 2007, so while there were 107 executions in 2007 that number fell to less than 45 in 2008. The record on other crimes is mixed with simple robberies (-8%) and robberies of businesses (-0.5%) both declining, and home burglaries (+2%), robberies of people (+16%) and car thefts (+20%) all increasing. Following an upward trend the last half of 2008, in January 2009 there have been sharp increases in economic crimes such as simple robbery (+56%), home burglaries (+102%), robberies of businesses (+65%), robberies of people (+138%), while car thefts continued to rise (+18%) and premeditated homicides were up 5%. The public statistics on kidnappings are not reliable, since few cases are reported and Mexican law does not classify most abductions as kidnappings as under U.S. law. Local businessmen think that

MONTERREY 00000102 002.4 OF 005

there have been substantial increases in extortion and kidnapping, at least some of them linked directly to cartel members.

The Good: Plans and Actions to Reform Local Police Forces

5. (SBU) Nuevo Leon Governor Jose Natividad Gonzalez Paras has repeatedly promised new programs to clean up the police forces, including annual polygraph tests, higher levels of education for police recruits, improved coordination with municipal police forces, and more federal resources. In addition, four metropolitan Monterrey PAN mayors proposed creation of Metropol, a new integrated municipal police force, including uniform requirements, salaries and equipment. The PAN mayors later agreed to include the PRI Mayors in their plans, and the PRI Governor Gonzalez Paras adopted the Metropol plan for the entire Monterrey Metropolitan area. The Metropol plan now includes creating a joint unit composed of different municipal police forces to respond to crime, as opposed to the normal preventative function of Mexican municipal police.

6. (C) State and local police also use technology to increase police effectiveness. President Calderon inaugurated the C-4 (Center for Communication, Command, and Control) built by the wealthy suburb of San Pedro in September 2008. The San Pedro C-4 is impressive, and 300 cameras enable San Pedro police to monitor the entrances and exits into the city and analyze crime trends to deploy the police more effectively (e.g. moving police to areas and times when burglaries are likely to occur). San Pedro Secretary of Public Security Rogelio Lozano contends that the cameras are effective because they cannot be corrupted. Meanwhile, the C-4 operators must pass special confidence tests and are not permitted to bring cell phones into the facility,. Both Secretary Lozano and a member of the Citizens Security Advisory Council think that the C-4 discourages crime in San Pedro, since the criminals know that they are being watched. San Pedro statistics show that crime is stable or falling slightly since the C-4 came into operation. The state of Nuevo Leon is currently building a C-5 (so-called because it will coordinate the C-4s). However, the C-5 was originally

scheduled to be completed by October 2007, but due to repeated delays, state officials now hope that it will open in summer 2009. Apparently, Northrop-Grumann served as a prime contractor for this facility.

7. (SBU) Nuevo Leon and San Pedro police both praise Plataforma Mexico, which shares information about crime throughout the country. The San Pedro C-4 is linked to Plataforma Mexico, so San Pedro police can instantly analyze cars license plates in minutes to determine if they were stolen, including in other states. Nuevo Leon Secretary Fasci also stated that Plataforma Mexico information has helped them solve crimes and avoid hiring police with criminal records elsewhere in Mexico. State and local police are also very eager for assistance through the Merida Initiative, but have not yet seen any funds.

The Bad: Promising Reforms Bring at Best Mixed Results

8. (C) Despite all his efforts, Nuevo Leon Secretary Fasci does not think that he has made progress cleaning up the Nuevo Leon state and municipal police forces. Fasci does not think that annual polygraphs are effective, since he has seen the ?fear in the eyes? of the polygraph examiners, who may ignore the actual results. He noted that he has seen a number of cases where compromised police have passed all of the required confidence tests. Fasci also faces a deficit of officers, since his state police only number 7,000, 2,000 below their authorized strength. Nuevo Leon screens police candidates, and only 200 of 1,000 applicants passed the initial confidence tests to enter the

MONTERREY 00000102 003.4 OF 005

police academy. Fasci finds that he must keep moving his commanders around to maintain their effectiveness, before they fall prey to bribes and influences. He thinks that police commanders are only at maximum effectiveness for only three months, and he has moved some commanders around five times. Fasci does not have any confidence in the municipal police forces. The state police have weekly strategy meetings with the military, CISEN, and the federal police, and Fasci excludes local police because he doesn't trust them. . (Note: ironically, local military commanders say the same about the state police, i.e., they exclude them from their planning sessions because they don't trust them.) Fasci also complained that his forces need better arms to fight the cartels, but he did not want the municipal police to upgrade their weapons, noting that when the Gulf/Zeta cartel sponsored demonstrations against the military, the municipal police forces did nothing to stop them.

9. (C) San Pedro Secretary of Security Lozano was far more optimistic, claiming that he has weeded out 300 of his 500 officer police force through polygraphs, drug and psychological tests. Although Post law enforcement officials consider the San Pedro police force to be the most reliable and best equipped, they still think that it is compromised by organized crime and unwilling or unable to move against drug cartels. Similarly, a

prominent member of the San Pedro Citizens Security Council, who met monthly with Lozano, did not think that the San Pedro police had improved substantially, although she did think that the San Pedro C-4 had been effective in reducing common crime.

10. (C) Poloff has met with an organizer of the citizens' march for security, security consultants and academics, and none believe that there have been real improvements in the reliability of local police forces. For example, one security consultant reported that in the city of Guadalupe the commander took the new police recruits to a narco-warehouse to collect their share of the money. A contact with close ties to the police said that the police only use the confidence tests to harass the officers they don't like, not to clean up the force. In addition, in June 2008, the day after Nuevo Leon Governor Gonzalez Paras urged citizens to file complaints against kidnapping, a jewelry owner and his son were kidnapped from inside the Guadalupe municipal police station and a state police station while filing complaints. The kidnappers encountered no resistance from the police. Indeed, there were 60 state police stationed nearby with weapons and body armor, but they reported to the newspaper that they were ordered not to intervene. None of the police involved were disciplined. In some cases the municipal police actively assist the cartels. For example, federal police and the Mexican military liberated a three year old victim of a kidnapping, and found that the kidnappers were seven police from the rural town of Salinas Victoria. They also found money, backpacks and other evidence at a safehouse indicating that these municipal police were helping organize the narco-funded demonstrations against the Mexican military. Similarly, Post law enforcement officials believe that Guadalupe municipal police actively assist the Gulf/Zeta cartel in kidnapping and holding victims. Similarly, in the suburban town of Juarez, the police basically serve as an auxiliary for the Gulf Cartel.

11. (C) Metropol was originally designed by four PAN mayors who only included neighboring PRI towns grudgingly. Metropol was designed to provide uniform standards for the municipal police forces to improve their effectiveness, and Nuevo Leon Secretary Facsi said that the municipal police will have minimum pay of \$666 per month. However, independent observers dismiss Metropol as a political stunt. For example, Javier Hernandez, a United Nations official posted to Nuevo Leon for a project to observe crime rates, said that Metropol systems have never been

MONTERREY 00000102 004.4 OF 005

evaluated to see if they were effective and that the whole effort is just political theater. San Pedro Secretary Lozano, one of the original architects of Metropol, now seems disenchanted, since the Metropol concept has been changed to include joint police forces, apparently under the control of the state.

12. (C) In contrast, most civil society observers think that

Plataforma Mexico and the C-4 are reasonably effective in controlling common crime. Nuevo Leon and San Pedro utilize Plataforma Mexico, which they say helps them track down criminals, but the rest of the municipal forces are not connected to Plataforma Mexico. Indeed, Plataforma Mexico is limited because it only includes data from federal crimes or state crimes where the state requested assistance from the federal government. The PGR recently conducted a search for Post on Plataforma Mexico, but warned that for state crimes, such as murder or kidnapping, Post would have to ask each state since nationwide data was still not available. Others are less sure of the value of Plataforma Mexico. One contact with close police ties, argued that the police do not actually use the Plataforma Mexico intelligence and that the C-4 does not analyze any information. Lozano argues, however, that Plataforma Mexico permits local police to stop cars with no license plates or stolen cars, which can be used by drug cartels to commit crimes. In our view, neither Plataforma Mexico nor the San Pedro C-4 have hindered cartel operations.

The Ugly: Impunity for the Drug Cartels

13. (C) Comment. In Nuevo Leon the drug cartels do not fear the state and municipal police; instead, clean police officers are afraid of the cartels. Over the last three years over 40 police and soldiers have been executed by the drug cartels, and none of the cases has been solved. Indeed, a recent case illustrates how the drug cartel members are protected, but not the police. During the recent narco-demonstrations, a policeman arrested one of the leaders, a zeta cell leader. The zetas threatened him within 10 minutes, and two days later they executed him after he dropped off his children at their school. In contrast to the cartels, who tried to get their leader released, we understand that the police have decided not to investigate the murder of their fellow officer (see reftel B).

14. (C) Comment continued. It should be noted that Mexican federal and state constitutions often tie the hands of the state and local police. While Nuevo Leon has many thousands of preventive police, they are prohibited by law from investigating crimes. Most street crimes in the U.S. are solved by patrol officers who follow up routine leads and are empowered to make warrantless arrests. Mexican street police are in large part deterred from exercising basic police investigative techniques either by law or through coercion. Some minor constitutional modernization would have to be considered to make police reform a reality.

15. (C) Comment continued. Since 93% of Mexico's police forces are state and municipal police, honest and professional state and municipal police forces are critical to success in the battle against drug cartels. Several political leaders have recently approached Poloff to request USG help, arguing that unless trends change Nuevo Leon could become a state fully controlled by the drug cartels. Nuevo Leon Secretary Facsi and several civic leaders argue that the U.S. should help through the Merida Initiative, making Nuevo Leon a positive model. Local

leaders note that technology alone will not solve the issue, as the state and municipal police will need to become professional (including higher salaries) to become assets in the battle against drug cartels. Starting state police officers only earn

MONTERREY 00000102 005.2 OF 005

\$500 per month (commanders make \$1,000 per month), so their salaries would need to be increased substantially before they could become a professional force. Unfortunately, truly reforming the police is a long-term process and in many ways Nuevo Leon leaders haven't even taken the first necessary steps.

End Comment.

WILLIAMSON

=====CABLE ENDS=====